

REMARKS

Claims 1-14 are pending in this application. By this Amendment, claims 1-14 are amended. Support for the amendments to independent claims 1 and 9 may be found, for example, in the present specification in the paragraph bridging pages 14 and 15; the amendments to claims 2-8 and 10-14 are only to correct minor informalities. No new matter is added. Applicant respectfully requests reconsideration and prompt allowance of the pending claims at least in light of the following remarks.

Applicant appreciates the Office Action's indication that claims 8, 12 and 13 include allowable subject matter.

Claims 1, 4, 6, 7 and 11 are rejected under 35 USC § 102(b) as being anticipated by Tate, Jr. (US 4,105,302) ("Tate"). Applicant respectfully traverses the rejection.

Tate does not support the rejection for at least the reason that Tate fails to disclose "a display control device which changes a size of the figure displayed on the target in proportion to a distance between the target and the eyepiece part, so that a size of an image formed on a retina of a user's eye is kept constant while the target moves" as recited in independent claim 1. Instead, Tate only mentions controlling an apparent size of a symbol to remain constant to a subject to compensate for a difference between two power settings. See Tate at col. 12, lines 1-11.

Claim 1 is therefore allowable over Tate, as are claims 4, 6, 7 and 11 for at least the reason that they depend on claim 1. Withdrawal of the rejection is therefore respectfully requested.

Claim 9 is rejected under 35 USC § 102(b) as being anticipated by Kohayakawa (US 5,237,351). Applicant respectfully traverses the rejection.

Kohayakawa does not support the rejection for at least the reason that Kohayakawa fails to disclose "a display control device which changes a size of the figure displayed on the

electric display in proportion to the distance from the user, so that a size of an image formed on a retina of a user's eye is kept constant while the electric display moves" as recited in independent claim 9.

Instead, the arrangement described in Kohayakawa acts in an opposite way to that recited in claim 9. That is, as described in col. 2, lines 24-51 of Kohayakawa, a size of a visual target is reduced when the target moves away from the eye of a subject. By contrast, claim 9 recites that the size of an image formed on a retina of a user's eyes is kept constant.

Accordingly, claim 9 is allowable over Kohayakawa. Withdrawal of the rejection is therefore respectfully requested.

Claim 3 is rejected under 35 USC § 103(a) as being unpatentable over Tate in view of Kohayakawa. Applicants respectfully traverse the rejection. Claim 3 depends on claim 1 and therefore allowable over both Tate and Kohayakawa for at least reasons discussed above. Withdrawal of the rejection is respectfully requested.

Claim 5 is rejected under 35 USC § 103(a) as being unpatentable over Tate in view of Balliet (US 4,408,846). Applicants respectfully traverse the rejection. Claim 5 depends on claim 1 and is therefore allowable over Tate for at least that reason. Balliet does not remedy the deficiencies in Tate. Furthermore, Balliet contains no disclosure concerning how the size of the symbol formed by the target device 14 is controlled. Accordingly, claim 5 is allowable over Tate and Balliet. Withdrawal of the rejection is respectfully requested.

Claims 2, 10 and 14 are rejected under 35 USC § 103(a) as being unpatentable over Tate. Applicants respectfully traverse the rejection. Claims 2, 10 and 14 depend on claim 1 and are therefore allowable over Tate for at least that reason. Withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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